

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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ABBOTT GMBH & CO., KG, AND  
ABBOTT BIORESEARCH CENTER, INC.

Plaintiffs,

v.

CENTOCOR ORTHO BIOTECH, INC.,

Defendant.

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Civil Action No. 4:09-cv-11340-FDS

**Jury Trial Demanded**

**DEFENDANT’S CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)**

Pursuant to Local Rule 16.1(D)(3), Defendant Centocor Ortho Biotech, Inc. hereby certifies that appropriate corporate officers have conferred with counsel with respect to the above matter:

- (a) with a view to establishing a budget for the costs of conducting the full course—and various alternative courses—of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs.

February 18, 2010

Respectfully submitted,

**CENTOCOR ORTHO BIOTECH, INC.**

/Kenneth J. Dow/

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/s/ Matthew A. Pearson

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### **CERTIFICATE OF SERVICE**

I certify that this document (filed through the ECF system) will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Matthew A. Pearson